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City Document.—No. 8.

CITY OF BOSTON.

**HOSPITAL FOR IDIOTS AND
INSANE.**



In Common Council, February 21, 1839.

The following Report and Order having been read, and the Order passed to a second reading were, together with the accompanying draft of an Act, which was also read, severally laid on the table and ordered to be printed for the use of the Council.

Attest,

RICHARD G. WAIT, *Clerk C. C.*

In City Council, February 18, 1839.

The Committee of both Boards on the Jail, Houses of Correction, Industry and Reformation, who were instructed to report "a system for the organization and government of the Hospital for the Insane and Idiots, lately erected at South Boston, also on applying to the Legislature for an alteration of the limits of the House of Correction, so as to include said Hospital," have attended to that duty and ask leave to

R E P O R T :

That as the Hospital is an institution of a very different character from either of those now belonging to the City at South Boston, the system under which it may be managed may be more simple.

The physician, as in other Hospitals of the kind, should have both the responsibility and the power in all which relates to the medical treatment of the patients, and should therefore have the appointment of all the attendants which may be necessary, in order that they may be under his control. The expenses of the house should be paid, and all purchases made by a steward, who, like the physician, should be chosen by the City Council, and whose accounts should be examined quarterly, or oftener, if desired, by a Committee of the Council. The same Committee should be required to visit the house, by at least one of their members, once in each week, and to report directly to the Council whatever may appear to them to need alteration. They would be the organ of the City Council in carrying its ordinances into effect, and would supersede the necessity of establishing a

separate Board of Directors. They should be required to report quarterly or oftener.

The Committee report herewith a draft of an Act empowering the courts who are now authorized to send lunatics to the House of Correction, to place them in this Hospital, this being thought, upon consideration, to be a better mode of obtaining the object than including the Hospital within the precincts of the House of Correction. They also avail themselves of this opportunity to suggest to the Council the importance of making early arrangements for the choice of a physician, who might not only preside over the Hospital, but have charge of the medical department in all the other houses on the public lands, if such an arrangement should be thought advisable. They recommend the adoption of the following order.

For the Committee,

SAMUEL A. ELIOT.

Ordered, That the Mayor be instructed to apply to the Legislature, in behalf of the City, for the passage of an act, which shall authorize the sending of lunatics and idiots to the Hospital erected for them by the City, instead of the House of Correction.

In the Board of Aldermen, February 18, 1839.

Read and accepted.

Sent down for concurrence.

SAMUEL A. ELIOT, *Mayor*.

Commonwealth of Massachusetts.

In the year one thousand eight hundred and thirty nine.

An Act to establish the Boston Lunatic Hospital.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

SECT. 1. The City Council of the City of Boston are hereby authorized to erect and maintain a Hospital for the reception of insane persons, not furiously mad ; and such provision shall be made for the comfortable support of all persons confined therein, and they shall be governed or employed in such manner as the Mayor and Aldermen of said City may judge best.

SECT. 2. The said City Council shall appoint a Superintendent, who shall be a Physician, and constantly reside at said Hospital, and a Steward, who shall give bond for the faithful discharge of his duty.

SECT. 3. The said Council shall have power to pass such ordinances as they may deem expedient for conducting in a proper manner the business of the Institution and for appointing such other officers as in their opinion may be necessary.

SECT. 4. The inspectors of prisons for the County of Suffolk, shall be inspectors of said Hospital, and shall perform the like duties in relation to it, that they are now by law required to perform in relation to the prisons in said County.

SECT. 5. Whenever it shall be made to appear on application in writing to the Justices of the Police Court for the City of Boston, that any person is insane, not being furiously mad, the said Justices are

hereby authorized to order the confinement of such person in the said Hospital, and such sum per week shall be allowed and paid for the support of every such person, confined as aforesaid, as the Mayor and Aldermen of the City of Boston shall direct; and if in any case, there shall be no parent, kindred, master, guardian, Town or City obliged by law to maintain the person so confined, the sum allowed as aforesaid shall be paid out of the Treasury of the Commonwealth: *Provided*, that in no case shall more than two dollars and fifty cents per week ever be paid from said Treasury, and any person committed as aforesaid by said Justices may at any time be discharged, when in their opinion such discharge would be for the benefit of the person so confined, or when, in their opinion, such person would be comfortably supported by any parent, kindred, friend, master or guardian, or by any Town or City in which such person may have a legal settlement, and the said Justices and other officers and all witnesses shall receive the same fees and compensation for services performed, and for attendance and travel, as are allowed by law, for like services in criminal proceedings, to be taxed, allowed and paid in the same manner.

SECT. 6. All insane persons who are now confined in the House of Correction or the House of Industry in said City or may hereafter be subject to confinement in either of said Houses, and all lunatics, idiots and other patients who shall be removed from the State Lunatic Hospital at Worcester to the City of Boston by the Trustees thereof, by virtue of the fourteenth and fifteenth sections of the forty eighth chapter of the Revised Statutes, shall hereafter be confined in the said Boston Lunatic Hospital.

SECT. 7. Any lunatic or insane persons who may be confined in said Hospital as before provided, by authority of a certificate of the trustees of the State Lunatic Hospital, according to the provisions of the fifteenth section of the forty eighth chapter of the Revised Statutes, may be discharged therefrom by the Mayor and Aldermen of said City, whenever the cause of confinement shall have ceased to exist. And said Mayor and Aldermen, whenever in their opinion, such lunatic or insane person can, in such manner be more comfortably provided for, and the safety of the public will not be endangered thereby, may provide for his custody and support in other places than in said Hospital or may deliver him to the custody and care of any City or Town in which he may have a legal settlement, the said lunatic or insane person, still continuing subject to the order and direction of said Mayor and Aldermen. The expense of so providing for such lunatic or insane person shall be reimbursed in the same manner, and recovered by the same remedies as are provided in the sixteenth section of the forty eighth chapter of the Revised Statutes: *Provided*, that in no case shall the sum charged for such provision exceed two dollars and fifty cents per week.

SECT. 8. All laws inconsistent with this act are hereby repealed.

SECT. 9. This act shall take effect from and after its passage.

